

# The Semi-Weekly Messenger

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## RUN RISKS OF THE LAW

President Smith of the  
Mormon Church States  
His Position

## RAPS CONGRESS

That Body Has no Power to Interfere  
in His Private Affairs—Utah Courts  
Alone Possess That Right—Some  
Sensational Testimony is Given Dur-  
ing the Day—Senator Bailey Says  
the Revelations Were Provoked by  
Fear of the Consequences of the  
Law.

Washington, March 5.—Admissions  
drawn from Joseph F. Smith, president  
of the Mormon church, respecting his  
continued violations of the law forbid-  
ding polygamous cohabitation again  
constituted the feature of the proceed-  
ings today before the Senate committee  
on privileges and elections against  
Senator Reed Smoot, of Utah. The wit-  
ness, angered by the persistent efforts  
of some members of the committee to  
obtain from him every detail of his  
remission in obeying the law, turned  
upon Congress and charged that body  
with interfering, without authority, in  
his private domestic affairs and usurp-  
ing the powers of the Utah courts,  
which alone, he said, possessed the right  
to hold him to account for his conduct.

While the witness had been taken in  
hand by the defense for purposes of  
cross examination, the members of the  
committee, in reality, consumed the  
greater portion of the time and matters  
were brought out along the line follow-  
ed by the prosecution in the three first  
days of the hearing. Some of the tes-  
timony proved highly sensational.  
At the beginning of today's session,  
Mr. Smith gave figures showing the  
proportion of polygamists in the Mor-  
mon population, saying the number of  
polygamists originally excluded from  
voting was 4,000. Mr. Smith said that  
in 1902 only 887 were still living.  
Referring to Senator Bailey's ques-  
tions yesterday in regard to the man-  
ifesto, Mr. Worthington read from a  
sermon of President Woodruff delivered  
a year after the manifesto against plu-  
ral marriages, in which President  
Woodruff declared that he was  
moved, and 10,000 Latter Day  
Saints were moved by the spirit of God  
to abandon the practice of plural mar-  
riage.

Senator Bailey contended that it was  
in obedience to the demands of the  
law, or fear of the consequences of  
the law, that provoked the revelation.  
Continuing, he said:  
"For my part, I don't have much  
faith in a doctrine that does not get a  
revelation commending a change of  
conduct until there is a statute compell-  
ing it."

"When the laws were passed, which  
were not in harmony with the teachings  
of our church," said Mr. Smith, "we  
held that they were unconstitutional.  
Of course our own rules commanded  
that we obey the constitution of the  
land, but we fought the validity of the  
new laws from the lowest to the high-  
est court, and when it was settled by  
the Supreme court of the United States  
that plural marriages could not longer  
be indulged in, of course, we were in-  
clined to obey."

"But we had a revelation on our own  
statute books in regard to plural mar-  
riages and it was necessary to obey  
that, in order to obtain certain blessings  
that could not be received without  
obeying it. Whether the law of the  
land or the law of the church was a serious  
question."

"We hold that the president of the  
church is entitled to receive revelations  
inspired by the Almighty God. Presi-  
dent Woodruff sought guidance from  
the Lord and the Lord made it manifest  
to him that it was his duty to stop  
plural marriages. He proclaimed that  
revelation and it was submitted to the  
entire church and accepted by the  
church and thus it became binding, and  
from that day to this, the law of the  
land has been kept, so far as plural  
marriages are concerned. But there is  
a great difference between taking a  
plural wife contrary to law and in  
taking care of the wives taken before  
it was a violation of the law. I would  
not desert my wives. I would not  
abandon my children. I will run my  
risks before the law."

President Smith's voice shook with  
emotion. He showed more feeling than  
he had at any previous time exhibited  
as he leaned forward and said:  
"But it is to the laws of Utah that  
I am answerable, it is the law of my  
state that has the right to punish me.  
The courts of Utah are of competent  
jurisdiction. Congress has no business  
to interfere with my private affairs.  
If the courts of my state do not see fit  
to call me to account for my conduct,  
I cannot help it. Congress has no right  
to interfere—it has no right to pry into  
my marriage relations and call me to  
account."

between myself and my good wives.  
That is the kernel in the nut. That  
is why I have chosen not to obey the  
laws of my state prohibiting poly-  
gamous somabitation."

"The Church gave me my wives and  
I do not think the Church could be  
consistent in taking them," said Mr.  
Smith, in answer to a question as to  
why he did not agree with the Wood-  
ruff manifesto.

"The Lord giveth and the Lord tak-  
eth away," quoted Senator Bailey  
from the Scriptures. Continuing, the  
Senator said it appeared that poly-  
gamous cohabitation is forbidden by  
both the law of the land and the law  
of the Church as laid down in the  
Woodruff manifesto, and addressing  
the witness, he said:

"Then as head of the Church, you  
are violating the law of the land and  
the ordinance of the Church as well."  
"Not the ordinances," said Mr.  
Smith.  
"Well, the law then?"  
"No, the rule," said the witness.  
"The rule after all is the law for  
conduct," said Senator Bailey. "I  
was only trying to emphasize what  
the revelations are. I don't know as  
much about the nice distinctions in  
religion as I hope I do about the law,  
but it appears that both the rule of  
the Church and the law of the land  
forbade polygamous cohabitation and  
you, as the head of the Church, vi-  
olated both."

"I will not quarrel with the Sena-  
tor about that," the witness said.  
Later he said that Senator Bailey's  
assumption was correct.

In reply to Senator Overman, Mr.  
Smith said that the revelation of the  
manifesto of 1890 had not been pub-  
lished in the latest edition of "Doc-  
trines and Covenants," but that this  
was an oversight and would be cor-  
rected.

Replying to Chairman Burrows, Mr.  
Smith said that he does not teach  
polygamy and added:  
"I am not openly and obnoxiously  
practicing polygamous cohabitation."  
"How could you better teach poly-  
gamy than by practicing it?" Senator  
Burrows continued.

The reply was: "I am not practic-  
ing polygamy. I am practicing poly-  
gamous cohabitation, which is not po-  
lygamy. Polygamy is plural marriage,  
and I have taken no plural wives  
since the manifesto of 1890."

Replying to a question from Sena-  
tor Overman, Mr. Smith said that the  
manifesto was made that is was pub-  
lished by authority of the Church,  
which was sufficient. It then appear-  
ed that the manifesto had not been  
put in as evidence and Mr. Thorpe  
then introduced it with other docu-  
ments.

The committee adjourned until  
Monday.

## INTO RECEIVER'S HANDS.

Tunis Lumber Company Fails—Mis-  
management is Charged.

Norfolk, Va., March 5.—The Tunis  
Lumber Company, owning one of the  
most important plants in the country,  
went into the hands of receivers to-  
night upon application of Mrs. Margaret  
Wilson and Mrs. Bessie Wilson Tunis,  
who sue for \$40,000. They own stock in  
the company amounting to \$143,000. The  
receivers are Theophis Tunis, H. C.  
Nichols, of Norfolk and E. H. Thomp-  
son, of Baltimore.

Mrs. Wilson threw the concern into  
the hands of receivers before they were  
supplanted by new officers. E. M.  
of Wiley-Harker Company, New  
York, is president Caldwell Hardy, vice  
president, W. D. Hardy, treasurer.

Mismanagement of the company is  
charged in the bill of complaint.

## NO AGREEMENT REACHED.

Miners and Operators Cannot Decide  
on a Scale of Wages—A Strike is  
Probable.

Indianapolis, Ind., March 5.—The  
joint conference between the coal min-  
ers and operators of the Central Com-  
petitive district adjourned today with-  
out reaching an agreement as to the  
scale of wages for the year commenc-  
ing April 1. This is the second time  
there has been a failure to agree.  
The 800 miners delegates here  
will meet Monday in national conven-  
tion, when it is announced a statement  
of the position of the miners will be  
given to the public.

The final disagreement and adjourn-  
ment came after a day devoted to con-  
sideration of the ultimatum of the  
operators, which was that a two years  
scale be signed at a reduction of 5  
per cent. from the present scale.

President Mitchell, Vice President  
Lewis and Secretary Wilson of the  
national organization and many of the  
district officers, advised the miners to  
accept the operators proposition. In  
reply many of the delegates announced  
they were bound by instructions and  
could not vote for any reduction. F.  
L. Robbins for the operators said after  
adjournment:

"The operators by unanimous agree-  
ment made a fair, magnanimous offer.  
The miners leaders urged its accept-  
ance, but many of the miners were led  
by instructions and said they could  
not accept it."

"Is there any way a strike can be  
averted now?" he was asked.  
The representatives of the op-  
erators and the representatives of the  
miners of the four states could make  
another arrangement similar to the  
one which has just been unsuccessfully  
concluded," he answered.

Both men Robbins and President  
Mitchell refused to say whether there  
had been any talk of a renewal of ne-  
gotiations.

## Condition of Ex-Governor Russell Im- proved.

Baltimore, March 5.—The condition  
of former Governor Russell of North  
Carolina, who has been under treat-  
ment at Johns Hopkins hospital for  
more than a week, was reported at  
midnight to be improved. Governor  
Russell is said to have greatly im-  
proved since he arrived at the insti-  
tution and his attendants and friends  
hope for his ultimate recovery.

## POSITION OF THE U. S.

There is No Understand-  
ing with Great Brit-  
ain and Japan

## TO SAVE CHINA

This Statement Was Made by Senator  
Hale, Who Asserted That the United  
States is Neutral in the Present  
War—Naval Bill Before the Senate.  
Political Discussion Participated in  
by Several Senators—House Passes  
Indian Appropriation Bill.

Washington, March 5.—There was an  
interesting exchange of views in the  
Senate today between Mr. Nelson and  
Mr. Hale. The Minnesota Senator, in  
the course of a brief colloquy with Mr.  
Patterson, expressed the opinion that  
there is such a commonality of interest  
on the part of the United States, Great  
Britain and Japan as to protect China  
against dismemberment. To this state-  
ment, Mr. Hale objected sharply, saying  
that the position of the United States  
in the present war is that of neutrality.

The naval bill again occupied prac-  
tically all the time of the Senate, but  
while the amendment concerning a na-  
val training station on the Great Lakes  
was technically the pending question,  
it scarcely was mentioned. The dis-  
cussion today was entirely on political  
lines and was participated in by Messrs.  
Hale, Depew and Nelson, on the Repub-  
lican side, and My Messrs. Gorman,  
Clay, Martin, Patterson and Bacon on  
the Democratic side.

Mr. Clay took issue with the conten-  
tions of Messrs. Lodge and Depew as to  
the necessity for a strong fighting sea  
force to keep the United States out of  
war. He did not criticize the additions  
so far made to the navy, nor the carry-  
ing out of the plans of the pending bill,  
but he could not agree that the navy  
to be no relaxation of the country, he  
said, is challenging us, or questioning  
our position on the Monroe Doctrine.  
Our rights were secure, he contended.  
If we properly preserved the rights of  
other nations. He did not believe that  
there was any danger of war with Ger-  
many, but he was not willing to make  
trouble with other powers as an im-  
mense navy, composed of many ambi-  
tious men. He claimed that ex-Secre-  
tary Root now held the same views  
concerning the retention of the Philip-  
pines as were maintained by the Dem-  
ocrats.

Mr. Clay also contended that there  
should be a Congressional committee to  
investigate expenditures in the depart-  
ments, saying that no business man  
would let business involving millions  
drift along as Congress was doing. He  
criticized the policy of the United States  
expenditure of \$207,000,000 annually for  
war and refuses to erect public build-  
ings in Washington that would save  
rents of \$300,000 per year.

Mr. Martin, Democrat, a member of  
the committee on naval affairs, dem-  
onstrated the bill, and called attention  
to the fact that he had found fault with  
the increase of the navy as proposed  
by the bill. "We must have a strong  
navy," he said, and he instanced the  
recent expansion of the United States  
as furnishing the reason for this neces-  
sity.

He referred to the possibility of  
France and Great Britain being drawn  
into Oriental war because of their re-  
spective alliances with Russia and Ja-  
pan, and while he did not believe that  
the United States would become involv-  
ed in the imbroglio, he did not consider  
it the part of wisdom to be unprepared.

Mr. Depew said the Georgia Senator  
could not separate the ex-Secretary  
from the Republican party on the Phil-  
ippine question as would be found when  
Mr. Root's full views were known. He  
said, but they hold on. He did not be-  
lieve we would see our relations with  
the Philippines diminished.

Mr. Nelson referred to our naval in-  
fluence in the east, saying that with  
this country, Great Britain and Japan  
all united in support of an open door in  
China, there was no danger of the dis-  
memberment of China. All, too, were  
hostile to the absorption of Manchuria.  
He did not believe that there was any  
formal alliance, only mutuality of in-  
terest.

Mr. Hale protested that this debate  
was extraneous. "I don't want the  
statement of that Senator from Minne-  
sota to go unchallenged," he said, "I do  
not agree that there is today any such  
common interest between the United  
States, Great Britain and Japan on the  
one side, against Russia, France and  
other powers as his statement implies.  
Our attitude is one of neutrality and so  
declared by our state department. We  
are not against Japan, nor must it be  
said that all our interests are with her  
and against Russia and other conti-  
nental European powers."

deliberate emphasis "would serve their  
country better if they attended to the  
details of their offices and abstained  
from criticisms of Senators and mem-  
bers of Congress."

Mr. Gorman then gave his attention  
to the statement of Mr. Lodge that a  
navy was a conservator of peace, say-  
ing that this declaration was contrary  
to the conviction of the fathers. He  
differed from Mr. Lodge in consid-  
ering this an aggressive nation. He  
hoped the time would soon come when  
the people would return to the Demo-  
cratic-Republican doctrine that our  
power was not measured by the num-  
bers of guns afloat, nor by the num-  
bers of uniforms we had.

"If we are at war," said Mr. Gor-  
man, "if our commerce were threaten-  
ed by war, we would give the secre-  
tary of the navy all that he could  
spend. But all the country knows  
that these millions, these billions,  
have done more to demoralize than  
otherwise." He had no sympathy  
with any movement against China.  
No matter what nation might secure  
supremacy in the country, the United  
States would secure her share of its  
commerce.

Closing, Mr. Gorman said:  
"Now in the face of a great elec-  
tion, the situation could not be  
changed if we should attempt to do  
it, and I don't believe it would be wise  
to change it if we could do so, for that  
would be to change it into politics.  
That I do not think that we should do."

Mr. Carmack agreed with Mr. Hale  
that if China should fall under the  
domination of Japan, it would be  
doubtful whether the United States  
would derive any advantage from it.  
A newspaper saying that \$435,000 had  
been expended for the purpose of  
keeping two pleasure yachts, the May-  
flower and the Sylph, in condition for  
the President's use. This, he con-  
tended, was a misappropriation.

Mr. Bacon asked what evidence  
had been furnished Congress that  
Guantanamo, Cuba, had been ceded  
to the United States.

Mr. Hale knew of no actual cession  
but, he said, the United States was in  
possession.

Mr. Bacon insisted that there  
should be a cession, and Mr. Hale pro-  
duced a lease. This, Mr. Bacon de-  
clared, was nothing less than a treaty,  
and should have been sent to the  
Senate in the usual way and ratified.  
He said he wished to criticize, not in  
an offensive sense, but to object to  
this usurpation of power by the ex-  
ecutive.

Mr. Nelson replied to Mr. Hale, say-  
ing that if there was any violation of  
the principles of neutrality on his  
part, there was an equally marked  
violation by Mr. Hale on the other  
side. Mr. Nelson said that he had not  
intended to imply that the United  
States should take any other than a  
neutral position in the oriental war.  
He did contend, however, that the  
Senate should take all proper steps to  
protect our commerce in the Orient.

Mr. Nelson declared that Japan  
could be depended upon to maintain  
the open door.

## THE HOUSE.

Washington, March 5.—The House  
today passed the Indian Appropria-  
tion Bill, which has been under con-  
sideration for the past three days.  
The main points in controversy related  
to provisions affecting tribes in the  
Indian Territory. An unsuccessful ef-  
fort was made by Mr. Stephens, of  
Texas, to eliminate the provisions for  
continuing the Dawes commission an-  
other year. The provision authoriz-  
ing the renting of certain lands in the  
Indian Territory, which have been  
allotted to the tribes, was stricken from  
the bill on a point of order.

## HALE FOR CONGRESS.

Result of a Primary Election in a  
Tennessee District.

Knoxville, Tenn., March 5.—The Re-  
publicans of the Second Congressional  
district held a primary election today  
to nominate a candidate for Congress.  
R. W. Austin, United States marshal  
for eastern Tennessee, and N. W. Hale,  
a local nurseryman who is also presi-  
dent of the National Nurserymen's  
Association were the candidates. Re-  
turns received from all ten counties of  
the district show that Hale has been  
nominated by a majority ranging be-  
tween 1,500 and 2,000. Austin has car-  
ried only one county of the ten, Camp-  
bell.

The Republican nomination in this  
district is equivalent to election. Con-  
gressman Henry R. Gibson, who has  
served five terms was not a candidate  
for renomination. Hale was defeated  
by Gibson two years ago.

## Schooner Dunnock A Wreck.

Raleigh, N. C., March 5.—A special  
report from Elizabeth City, N. C., says:

The schooner Dunnock, from New  
Bern to Norfolk, laden, sprang a  
leak off Roanoke Island Wednesday.  
The captain headed for Gull Shoals,  
hoping to save the cargo of 75,000 feet  
of lumber, but a strong wind drove the  
vessel upon the shoals a wreck. The  
crew reached the shore in their boat  
after great hardship.

## A BRIDGE COLLAPSES.

Under the Weight of Two Engines the  
Bridge Gave Way—Six Drowned.

Cleveland, O., March 5.—Six men were  
drowned and four others injured as a  
result of the collapse of a bridge span-  
ning Yellow Creek, near Irondeau on  
the Cleveland and Pittsburgh railroad  
today. The men were on two loco-  
motive engines that attempted to cross the bridge  
together.

The dead:  
J. F. Maas, engineer; J. J. Hender-  
son, fireman; George Phillips, conduc-  
tor; Thomas Kerr, fireman's appren-  
tice; T. J. Koonz, brakeman; A. J.  
King, flagman.

Most of the men lived at Wellsville,  
Ohio. Of the eleven men making up  
the crew of the two engines, all went  
down except one man left at one end of  
the bridge as a flagman.  
The bridge had been weakened by a  
cloudburst that occurred Thursday.  
The engines had hauled out two work  
trains and were returning to Wellsville  
for water when the accident occurred.

## PLANS OF RUSSIANS

By Sheer Weight of Men  
and Guns the Japs  
Will be Defeated

## LAND FIGHTING

Is Not Expected Before the End of  
April, and On This the Campaign  
Begins—The Russians are Deter-  
mined to Heroically Defend Port  
Arthur—No Chances Will Be Taken  
on the Score of Inferior Numbers—  
Japan Addresses a Note to the Pow-  
ers Answering the Recent Commu-  
nication From Russia.

St. Petersburg, March 5.—Although  
almost four weeks have elapsed since  
the Japanese first attacked Port Ar-  
thur, here the war is considered hard-  
ly to have begun.

Heavy land fighting, upon which  
the fate of the campaign depends, is  
not expected much before the end of  
April.

By this time, Russia will have in  
the field, exclusive of the large army  
of men required to guard the rail-  
roads, four army corps, each with a  
cavalry division and an artillery brigade.  
All that has happened so far or  
is going to happen until these forces  
are in the field, is considered, accord-  
ing to the Russian view, to be noth-  
ing more than the prologue to the  
real drama.

The Russians are determined to de-  
fend Port Arthur as heroically as they  
did Sebastopol. No large garrison  
will be retained there; ten thousand  
men are as good as 100,000 for defense  
while the more men the more mouths  
to feed. There are enough provisions  
now to last for eight months. In ad-  
dition, there will be a division of Rus-  
sian troops to maintain batteries on the  
peninsula to oppose landings and har-  
ass the enemy if they succeed in in-  
vesting the city.

Viceroy Alexieff still retains his  
headquarters at Mukden, through  
which 3,000 or 4,000 soldiers are pass-  
ing daily to the positions which the  
main armies will occupy.

The Russians plans do not contem-  
plate taking any chances on the score  
of inferior numbers. By sheer weight  
of men and guns, if nothing else,  
they will be able to overcome the Rus-  
sians and rolling them back through Korea.

## A Note to the Powers.

Tokio, March 5.—Japan addressed a  
note to the powers today in response to  
the recent communication from Russia.  
The note has not yet been published.  
Russia's various communications to  
the powers, attacking Japan for its  
conduct of diplomatic negotiations be-  
fore their rupture for its attack upon  
Russia without declaration of war,  
and for its alleged violation of the  
neutrality of Korea, have been received  
in Japan largely in the spirit of  
amusement. The Japanese resent  
what is alleged to be a deliberate at-  
tempt to place them in a false position  
regarding certain incidents, but in gen-  
eral they do not take the correspon-  
dence seriously. They are prepared to  
violate the neutrality of Korea, they  
point to the action of Russia in Man-  
churia, where thousands of troops  
were assembled, long before diplomatic  
rupture occurred. They say that they  
are fully prepared to accept the judg-  
ment of the powers on a comparison of  
their course in Korea, where they land-  
ed troops only after a state of war  
existed, and upon the written permis-  
sion of the Emperor of Korea. They  
deny that Chemulpo was a neutral  
port after Japanese landed on Feb-  
ruary 8th, but whether it was neutral or  
not, Russia began hostilities there.  
When the Russian gunboat Korietz  
steamed out on the afternoon of Feb-  
ruary 8th she opened fire on the Japa-  
nese squadron, making the opening  
shot of the war. The Japanese tor-  
pedo boat destroyers answered the fire  
and discharged two torpedoes before  
the Korietz retired.

The Japanese are confident of the  
justice and strength of their original  
position in the integrity of China and  
the fairness of their proposal, during  
serving notice of their relations and  
fied in commencing hostilities after  
breaking off diplomatic relations and  
serving notice of their relations and  
sake independent action. They are  
sure their recent assurance that they  
had no intention of taking possession  
of Chinese territory and would guar-  
antee the independence of Korea would  
be accepted by the powers.

Peddlers Band is Against the Japanese.  
Seoul, March 5.—Twenty members of  
the Peddlers band are reported to have  
taken oath to kill all officials who  
favor an alliance with Japan. The  
Japanese minister, on being notified  
of this promptly informed the Korean  
government that if it did not arrest the  
conspirators the Japanese officials  
would do so. As a result four leaders  
of the Peddlers have just been ar-  
rested.

The cabinet today decided to re-open

the railway between Yampaho and  
Wiju.

Trying to Capture Merchant Vessels.

Tokio, March 5.—An Austrian  
steamer, which has arrived at Hako-  
date from Vladivostok, reports that  
the Russian squadron left Vladivostok  
on February 29th. It is presumed to  
be cruising in northern waters, with  
the hope of capturing Japanese mer-  
chant men. Another report says that  
two Russian warships have been seen  
off Hondo Bay.

Advices from Hakodate do not men-  
tion any attacks on northern ports.

## NEW TRIAL FOR DREYFUS.

Court of Cassation Grants Appeal for  
a Revision.

Paris, March 5.—The criminal branch  
of the Court of Cassation today grant-  
ed the appeal of Alfred Dreyfus for a  
revision of his trial at Rennes.

The court held that a sufficient  
showing had been made to warrant a  
re-opening of the case and ordered a  
supplementary investigation for the  
purpose of establishing all the doubt-  
ful points, which have been the basis  
for the present application to re-open  
the case.

The decision is another marked suc-  
cess for Dreyfus, although it is not yet  
final, owing to the extended supple-  
mentary investigation which must  
follow the court decision.

The decision was given at the close  
of the third day's hearing. Compara-  
tively little interest has been taken in  
the sessions of the court and the court  
room was almost deserted, there being  
less than fifty persons present at the  
final session. Among those were Maitre  
Labori, the famous lawyer who de-  
fended Dreyfus at Rennes and several  
members of the Dreyfus family.

An incident occurred during Morn-  
and's address. Counsel referred to  
Dreyfus' great qualities of heart and  
exalted character and turned towards  
M. Labori, as if making a personal ap-  
peal to have his statement confirmed.  
Thereupon M. Labori arose and left  
the court room, causing some commo-  
tion.

M. Labori was quoted as saying in  
the corridor that he did not wish by  
his presence to confirm the eulogy  
pronounced upon his former client's  
heart and character.

## NEW YORK DEMOCRATS.

State Convention to be Held on April  
18th in Albany—Friction Between  
the Factions—Hill Faction Gets the  
Best of Tammany.

Albany, N. Y., March 5.—The Dem-  
ocratic State convention, which will  
select delegates to the national con-  
vention, will be held here Monday,  
April 18th. This was the unanimous  
decision of the Democratic State com-  
mittee, which met today. The real  
result was arrived at before the com-  
mittee met, at a meeting between  
former Senator Hill and Leader Mur-  
phy, of Tammany. It was believed  
that some acrimony would result at  
the meeting over the selection of the  
place and time, it being known that  
Tammany desired to have it held in  
New York, but Senator Hill acceded  
to Mr. Murphy's request to set the  
date for the 18th instant, instead of  
the 13th, and Mr. Murphy, finding  
that Mr. Hill controlled a majority of  
the committee, acquiesced in the se-  
lection of Albany, so that there was  
no friction over the matter in open  
committee. It is understood that the  
King's county delegation would have  
voted with the up-State delegates, as  
against Tammany on this single propo-  
sition, had the question been put to  
a vote, thus giving Mr. Hill about  
thirty votes, out of a total of fifty.

The only test of strength between  
the force led by Mr. Hill and Senator  
McCarren, of Brooklyn, and that  
controlled by Mr. Murphy, came on  
the question of seating Committee-  
man Fitzpatrick, of the Forty-eighth  
District, whom the Hill forces claim-  
ed had resigned. The Hill forces ob-  
tained 26 votes, a bare majority of  
the committee, while Mr. Murphy got  
twenty-three, there being one vacan-  
cy. For the vacancy in the Forty-  
eighth district, so declared, Mat-  
thew Merzig was named by the Hill  
men, and Dr. Auel by Mr. Murphy  
men. On this ballot, the Hill forces  
gained one vote, giving them 27 in all  
for Merzig, who was elected.

There was an underrcut of fric-  
tion between the two factions during  
the discussion and this found vent  
afterwards in a statement prepar-  
ed by the request of Mr. Murphy after  
the adjournment of the committee.  
This reads:

"It was hoped that the meeting of  
the State committee would be the oc-  
casion for a demonstration of Demo-  
cratic harmony which would be an  
earnest intention of the Demo-  
crats of the State to bury all past  
factional differences and present a united  
front. The first indication of any  
breach in the harmony was afforded  
when the information was conveyed  
that the State committee would be  
asked at its meeting to pass resolu-  
tions, if not of endorsement, at least  
of confidence in one of the prospec-  
tive Presidential candidates. The  
leader of the Democratic party in New  
York city, Mr. Murphy, who has con-  
sistently believed that the cause of  
the party would best be served by a  
delegation to St. Louis, left free to  
use its own judgment, at once de-  
clared that in his opinion it would be  
unwise at this early date to pre-  
judge the issue by declaring for any one  
choice."

In the face of the energetic opposi-  
tion maintained by Mr. Murphy it is  
satisfactory to know that the sounder  
judgment of the party finally con-  
ceded the propriety of its stand.

The statement points out that the  
question of the date and place of the  
convention was more a matter of the  
convenience of the delegates than of  
importance in itself, and concludes:  
"This would seem to be the year  
when Democratic success in State  
and nation is only dependent upon  
the measure of Democratic harmony,  
and when the question of the con-  
trol of party machinery might well  
await a favorable verdict from the  
people upon our candidates and pol-  
itics which can only be averted by  
our bickering."

The cabinet today decided to re-open